

REMARKS/ARGUMENTS

Claims 45-48 and 50-61 are active. Claim 45 has been allowed. The claim terms in claim 45 have been rearranged for clarity to proximally associate the repeated formulas with formula (IIe). The limitations of dependent claims 50-53 and 60, which were indicated as otherwise being allowable, have been incorporated into independent claim 48. No new matter is believed to have been introduced. Favorable consideration of this response and allowance of this application are respectfully requested.

Election of Species/Election

On April 22, 2009 the Applicants elected Group III, claims 24-37 and 39-41, drawn to a hydrophilic spacer. A further election of the species of Formula 1(e) was subsequently made on August 10, 2009. Examination has been limited to claims as they read on the structure of formula (Ie) and (IIe), OA of January 4, 2010, page 2, line 12. Claims 24-37 and 39-41 are generic, see the OA of July 10, 2009, page 3, line 18.

Rejection—35 U.S.C. §102

Claims 42-44, 47-49, 54-59 and 61 were rejected under 35 U.S.C. §102(b) as being anticipated by Akerblom, et al., Bioconjug. Chem. 4:455. This rejection is moot in view of the amendments above cancelling claims 42-44, revising claims 46-47 to depend from allowed claim 45, and which incorporates otherwise allowable claims 50-53 and 60 into independent claim 48.

Claim Objections

Claims 50-53 and 60 were objected to as depending from a rejected claim. This objection is moot in view of the merger of the limitations of these dependent claims into independent claim 48.

Allowed Subject Matter

The Applicants thank Examiner Valenrod for indicating that claims 45 is allowed.

Conclusion

This application presents allowable subject matter and the Examiner is respectfully requested to pass it to issue. The Examiner is kindly invited to contact the undersigned should a further discussion of the issues or claims be helpful.

Respectfully submitted,

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